



Eric Gonzalez
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**

350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: HARRY SEPULVEDA

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS SEPULVEDA PLED GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES, ARISING FROM AN INCIDENT OCCURRING ON OR ABOUT AUGUST 11, 2010, WHILE MOS SEPULVEDA WAS OFF DUTY:

1. MOS SEPULVEDA ENGAGED IN A VERBAL AND PHYSICAL DISPUTE WITH [REDACTED] AND WRONGFULLY DISPLAYED HIS SERVICE FIREARM TO [REDACTED]
2. MOS SEPULVEDA FAILED TO SAFEGUARD HIS FIREARM IN THAT HE DROPPED SAID FIREARM WHILE HOLDING IT DURING A DISPUTE WITH FAMILY MEMBERS
3. MOS SEPULVEDA WRONGFULLY UTILIZED AN UNAUTHORIZED "CLIP-ON" HOLSTER TO SECURE SAID FIREARM TO HIS SIDE
4. MOS SEPULVEDA HAVING BEEN INVOLVED IN AN OFF-DUTY INCIDENT, FAILED TO NOTIFY THE DESK OFFICER, AT THE PRECINCT OF OCCURRENCE
5. MOS SEPULVEDA HAVING BEEN INVOLVED IN AN OFF-DUTY INCIDENT, FAILED TO NOTIFY THE INTERNAL AFFAIRS BUREAU

ACTION TAKEN: FORFEITURE OF TWENTY-FIVE (25) VACATION DAYS.

CASE STATUS: CLOSED ON 03/26/2012

Disclosure # 2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 12/22/2011, AGAINST MOS SEPULVEDA:

1. TRAFFIC VIOLATION BUREAU - NO COPY SUMMONS.
2. TRAFFIC VIOLATION BUREAU - NO MEMOBOOK.
3. TRAFFIC VIOLATION BUREAU - MEMOBOOK INCOMPLETE

ACTION TAKEN: SCHEDULE B COMMAND D ISSUED.

CASE STATUS: CLOSED ON 01/16/2012.

Disclosure # 3:

ON NOVEMBER 4, 2018, MOS HARRY SEPULVEDA, SHIELD NUMBER 26395, WAS ARRAIGNED IN KINGS COUNTY CRIMINAL COURT ON A CRIMINAL COMPLAINT (KINGS COUNTY DOCKET NUMBER CR-048636-18KN), CHARGING HIM WITH TWO COUNTS OF OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS (V.T.L. § 1192[1], 1192[3]), ONE COUNT OF OPERATION IN OPPOSITE DIRECTION OF ONE-WAY ROADWAY (V.T.L. § 1127[A]), AND ONE COUNT OF FAILURE TO COMPLY WITH A TRAFFIC CONTROL SIGN (V.T.L. § 1110).

THE CHARGES ARE BASED ON THE FOLLOWING ALLEGATIONS OF FACT: ON NOVEMBER 4, 2018, AT APPROXIMATELY 1:26 A.M., MOS SEPULVEDA, WHILE OFF DUTY, WAS DRIVING ON NORTH 12TH STREET IN BROOKLYN, WHEN HE TURNED ONTO WYETH AVENUE, AND CONTINUED DRIVING THE WRONG WAY DOWN THIS ONE-WAY STREET. HE THEN STRUCK A PARKED CAR AND CAME TO A STOP. POLICE OFFICERS ON THE SCENE OBSERVED MOS SEPULVEDA EXHIBITING SIGNS OF INTOXICATION - NAMELY, THE ODOR OF ALCOHOL ON HIS BREATH AND AN UNSTEADY GAIT. MOS SEPULVEDA REFUSED TO TAKE A BREATH TEST.

DISPOSITION: ON 07/10/19 MOS SEPULVEDA, UPON A PLEA OF GUILTY TO VTL 1192.1, WAS SENTENCED TO A CONDITIONAL DISCHARGE, FINE, AND HIS LICENSE WAS SUSPENDED.

IN ADDITION, MOS SEPULVEDA PLEAD GUILTY TO THE FOLLOWING NYPD DISCIPLINARY CHARGES, BASED ON THE ABOVE ALLEGATIONS:

1. SAID MOS SEPULVEDA, WHILE OFF-DUTY AND ASSIGNED TO THE 76TH PRECINCT, ON OR ABOUT NOVEMBER 4, 2018, IN KINGS COUNTY, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: SAID MOS SEPULVEDA OPERATED A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL.
2. SAID MOS SEPULVEDA, WHILE OFF-DUTY AND ASSIGNED TO THE 76TH PRECINCT, ON OR ABOUT NOVEMBER 4, 2018, IN KINGS COUNTY, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: SAID MOS SEPULVEDA OPERATED A MOTOR VEHICLE WHILE HIS ABILITY TO DO SO WAS IMPAIRED BY ALCOHOL.
3. SAID MOS SEPULVEDA, WHILE OFF-DUTY AND ASSIGNED TO THE 76TH PRECINCT, ON OR ABOUT NOVEMBER 4, 2018, IN KINGS COUNTY, WAS UNFIT FOR DUTY DUE TO HIS CONSUMPTION OF ALCOHOL.
4. SAID MOS SEPULVEDA, WHILE OFF-DUTY AND ASSIGNED TO THE 76TH PRECINCT, ON OR ABOUT NOVEMBER 4, 2018, IN KINGS COUNTY, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: SAID MOS SEPULVEDA REFUSED TO SUBMIT TO A BREATHALYZER TEST.
5. SAID MOS SEPULVEDA, WHILE OFF-DUTY AND ASSIGNED TO THE 76TH PRECINCT, ON OR ABOUT NOVEMBER 4, 2018, IN KINGS COUNTY, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: SAID MOS SEPULVEDA OPERATED A MOTOR VEHICLE IN A RECKLESS MANNER WHEREIN SAID VEHICLE TRAVELED IN THE WRONG DIRECTION DOWN A ONE-WAY STREET AND STRUCK AN UNOCCUPIED PARKED VEHICLE.

ACTION TAKEN: DISMISSAL PROBATION, 30 PRE-TRIAL SUSPENSION DAYS, 15 DAYS SUSPENDED W/O PAY, 20 VACATION DAYS.

Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 11/21/2018, AGAINST MOS SEPULVEDA:

1. DRIVER LICENSE SUSP/REVOKED/EXP
- CASE STATUS: CLOSED ON 01/22/2019

Disclosure # 5:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 05/27/2019, AGAINST MOS SEPULVEDA:

1. FAIL TO SAFEGUARD DEPARTMENT EQUIPMENT - ID CARD – ACTIVE.
- ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE ISSUED.
- CASE STATUS: CLOSED ON 07/02/2019.

Disclosure # 6:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 02/19/2020, AGAINST MOS SEPULVEDA:

1. DRIVER LICENSE SUSP/REVOKED/EXP
- CASE STATUS: CLOSED ON 05/01/2020

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE UNAWARE OF ANY PENDING AND OR SUBSTANTIATED CCRB ALLEGATIONS AGAINST THIS OFFICER.

Eric Gonzalez
District Attorney
Kings County